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IN THE HIGH COURT OF JUDICATURE AT BILASPUR

WRIT PETITION (S) NO. 7090 OF 2006

PETITIONER : Ganpati S/o Rammurti, aged about 38 years, Occupation Operative in H&R Section of Coke Ovens and Coal Chemicals Department, Bhilai Steel Plant, R/o Sector-11, Bhilai, Tahsil and District Durg (C.G.).

F.R. No. 7188/06
Presented by Shri Ram Bhuvar Sahu
dated 8/12/06

VERSUS

RESPONDENTS :

1. State of Chhattisgarh Through Adim Jati Anusandhan Avam Prashikshan, Raipur, Tahsil and District Raipur (C.G.).

2. The Collector, Rajnandgaon, Tahsil and District Rajnandgaon (C.G.).

3. The Tahsildar, Rajnandgaon, Tahsil and District Rajnandgaon (C.G.).

4. The Deputy Collector, Rajnandgaon, Tahsil and District Rajnandgaon (C.G.).

5. The Steel Authority of India Limited, Bhilai Steel Plant, C.E.O. and C.C.D. through the General Manager, Bhilai, District Durg (C.G.).

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OATH COMMISSIONER
S.R. Kaushik
BILASPUR TAHSIL

(41)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. No. 7090 of 2006

Petitioner Ganpati

Versus

Respondents State of Chhattisgarh & others

Single Bench : Hon'ble Mr. Justice **Satish K. Agnihotri.**

Shri Awadh Tripathi, Advocate for the petitioner.
Shri Arun Sao, Govt. Advocate for the respondents No. 1 to 4.
None for the respondents No. 5 and 6.

ORDER

(Passed on this 20th day of December, 2006)

The following order of the Court is passed by **Satish K. Agnihotri, J.**

1. The petitioner was appointed as Plant Attendant in the Bhilai Steel Plant vide letter dated 30th November, 1994. A departmental enquiry was initiated on the basis of the communication dated 21.7.2006 of the Tahsildar, addressed to the Collector, Rajnandgaon and the letter dated 27.7.2006 of the Deputy Collector, Rajnandgaon, addressed to the Additional Chief Vigilance Officer, Bhilai Steel Plant.

2. It appears that a departmental enquiry has been initiated against the petitioner, in regard to the caste certificate, on the basis of the aforestated communications.

3. The petitioner in this petition seeks a direction to quash the communications dated 21.7.2006 (Annexure P/8) & 27.7.2006 (Annexure P/9), and the proceedings of the departmental enquiry vide order dated 28.11.2006. Communication between two parties cannot be quashed as the communication is not addressed to the petitioner and the petitioner is not prejudiced by the said communications. The

(42)

enquiry initiated against the petitioner on the basis of the said communications, is open to challenge in the course of the departmental enquiry and thereafter also. At this stage when the departmental enquiry has been initiated to find out facts, the petitioner cannot contend that the petitioner has been prejudiced, when no order, imposing punishment or attaching any stigma, has been passed against the petitioner.

4. The writ petition, at this stage, is not maintainable. Thus the same is dismissed. No order as to costs.

Sd/-
Satish K.Agnihotri
Judge

Thakur